

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Jessica F.,<sup>1</sup>

Plaintiff,

VS.

Commissioner of the Social Security  
Administration,

Defendant.

Case No.: 4:24-cv-1048-JD-TER

## ORDER

This social security matter is before the Court with the Report and Recommendation of United States Magistrate Judge Thomas E. Rogers (“Report and Recommendation” or “Report”), under Local Civil Rule 83.VII.02 of the District of South Carolina.<sup>2</sup> (DE 28.) On March 1, 2024, Plaintiff Jessica F. (“Plaintiff”), proceeding *pro se*, filed a Complaint and a “Motion for Order Pursuant to Customer Challenge Provisions of the Right to Financial Privacy Act of 1978,” citing 12 U.S.C. § 3410. (DE 13, p. 1.) On April 3, 2024, the Court denied Plaintiff’s motion. (DE 19.) On April 24, 2024, Defendant Commissioner of the Social Security Administration (“Defendant”) filed a Motion to Dismiss, or in the Alternative, for Summary Judgment. (DE 24.) Plaintiff responded with what has been liberally construed as a Motion for Voluntary Dismissal.

<sup>1</sup> The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, because of significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

2 The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

(DE 27.) Plaintiff stated she filed the Complaint in error and “would like the case or complaint dismissed.” (*Id.*)

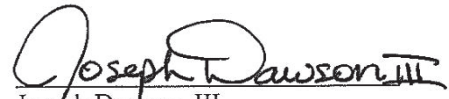
The Magistrate Judge issued the Report and Recommendation on May 13, 2024, recommending that Plaintiff’s Motion for Voluntary Dismissal be granted and the action be dismissed without prejudice. (DE 28.) Neither party filed an objection to the Report. In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Accordingly, after a thorough review of the Report and Recommendation and the record in this case, the Court finds no clear error on the face of the record. Therefore, the Court adopts the Report (DE 28) and incorporates it here by reference.

It is, therefore, **ORDERED** that Plaintiff’s Motion for Voluntary Dismissal (DE 27) is granted without prejudice. Further, it is **ORDERED** that Defendant’s Motion to Dismiss, or in the alternative for Summary Judgment (DE 24), is moot.

**AND IT IS SO ORDERED.**

Florence, South Carolina  
July 8, 2024

  
Joseph Dawson, III  
United States District Judge